


|  |  |                 |
|--|--|-----------------|
|  <b>KENTUCKY<br/>CORRECTIONS</b><br>Policies and Procedures | Policy Number                                      | Total Pages     |
|  | 18.1   | 9               |
|  | Date Filed   | Effective Date  |
|  | May 14, 2007                                       | August 31, 2007 |
| Authority/References<br>KRS 196.035, 197.020<br>ACA 4-4492, 4-4494, 4-4495, 4-4496, 4-4497   | Subject<br><br><b>CLASSIFICATION OF THE INMATE</b> |                 |

## I. DEFINITIONS

None

## II. POLICY and PROCEDURES

A. It is the goal of the classification process to:

1. Ensure the safety of the public by maintaining control of the inmate;
2. Ensure the safety of the staff, the institution and inmates by proper housing, program assignment, work assignment, and custody level;
3. Assign program and work activities for the inmate according to assessed needs and the availability of resources;
4. Utilize inmates in the operation and daily functions of Kentucky's correctional institutions; and
5. Document program and security decisions affecting the inmate's custody level, program participation and completion, housing assignment, work assignment, and disciplinary or adjustment actions.

B. The Classification Branch Manager shall be responsible for:

1. Overseeing and managing the Classification Branch;
2. Overseeing the classification process;
3. Developing and initiating classification policies and procedures;
4. Monitoring the implementation of classification policies and procedures;
5. Establishing a process whereby all classification policies and the Classification Manual are reviewed regularly and updated, changed or rescinded as circumstances dictate;

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 2    |

6. Overseeing the classification reviews of the Local Facilities programs;
7. Reviewing classification and reclassification actions;
8. Monitoring the placement of any specific inmate who may present a unique or sensitive problem for Corrections or the public;
9. Reviewing and approving or disapproving transfers between institutions;
10. Reviewing and responding to inmate appeals of classification decisions;
11. Preparing classification training;
12. Coordinating inmate transfers; and
13. Preparing and reporting daily inmate count and reviewing institutional populations.

C. The Warden of each institution shall be ultimately responsible for overseeing the classification process in his specific institution. It is the Warden's responsibility to:

1. Maintain all Corrections Policies and Procedures relevant to classification;
2. Implement any new or revised policies and procedures relevant to classification;
3. Monitor all classification policies and procedures within his institution to ensure compliance with Corrections guidelines;
4. Establish specific classification committees and procedures to review classification actions; and
5. Establish a procedure to allow for inmate appeals of classification decisions within the institution.

D. The following are general guidelines to be used in classification:

1. The classification procedure shall be utilized:
  - a. to assign each inmate a custody level and institutional placement;
  - b. to assign jobs, or institutional housing;
  - c. to make furlough recommendations; and
  - d. for any other reason as determined by the Warden or designee.

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 3    |

2. It shall be the responsibility of every Classification Committee to document the results of each classification action in the offender management system.
3. It shall be the responsibility of each Classification Committee to establish a definite time to meet each week. Each scheduled inmate shall be notified forty-eight (48) hours prior to his meeting with the Classification Committee. An inmate may waive the forty-eight (48) hour notice. The waiver shall be clearly documented on the classification document. If a document is not completed, the waiver of forty-eight (48) hours notice shall be completed and placed in the inmate record;
4. The inmate shall attend the Classification Committee meeting regarding his custody level in order to present any evidence or testimony to ensure an appropriate classification. If an inmate is unable to appear due to medical reasons or if the inmate's presence may present a severe security problem, written documentation shall be entered in the offender management system. If the inmate has received proper notification of the hearing and he fails to appear, the committee may hold the hearing in his absence. Failure of the inmate to appear may result in disciplinary action; and
5. The inmate shall be permitted to submit a written or verbal request to the Classification Committee prior to his hearing. The request shall be entered into the offender management system.
6. The inmate may be excused from the hearing during the deliberation process. The inmate shall return to the hearing to be notified of the committee decision.
7. Each inmate shall be assigned a Classification and Treatment Officer (CTO). The CTO shall be responsible for:
  - a. Preparation and presentation of the inmate's classification document or other required document. This shall include discussing the classification documents with the inmate prior to the classification hearing unless a threat to security exists;
  - b. Recommendations for assignment or changes in the custody level of the inmate. The CTO may also make recommendations for bed changes or work and program assignments;
  - c. Implementing any referrals recommended by the Classification Committee;
  - d. Collection, summation and presentation of data relevant to the case;

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 4    |

- e. Having the inmate participate in assessing his own needs and program progression during interviews; and
  - f. Documentation of any data.
- 8. The chairperson shall report the recommendations of the Classification Committee to the Warden or his designee.
- E. The following are general functions of the Classification Committee:
  - 1. Evaluating and approving each inmate's classification document;
  - 2. Recommending a plan of action to implement the inmate's individual program;
  - 3. Ensuring the maximum involvement of the inmate in assessing his needs and selecting programs to meet those needs;
  - 4. Ensuring proper screening and classification of a special needs inmate;
  - 5. Making appropriate referrals to various institutional programs or agencies;
  - 6. Ensuring that each inmate receives an orientation upon arrival at an institution;
  - 7. Recommending transfer of an inmate if appropriate; and
  - 8. Ensuring that each inmate is assigned to the lowest appropriate custody level.
- F. The Warden may, with the approval of the Classification Branch Manager, delegate Classification Committee functions to a subcommittee.
  - 1. The Warden may assign a designee to handle specific duties normally handled by the Classification Committee. This may include bed assignments, work assignments or other duties if a full committee action is not necessary.
  - 2. Any action taken by a classification designee shall be reported to the Warden or Classification Committee. The inmate shall be notified of the action.
  - 3. Any action taken may be appealed to the Warden or his designee as established by the institution.
- G. Classification Committee Membership

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 5    |

1. All Classification Committees shall consist of a minimum of two (2) members, to include a chairperson of a supervisory level who has received training in the classification process, and a staff member, preferably a CTO prepared to present the case.
2. Other security and program personnel may be utilized by the classification committee if deemed necessary to ensure appropriate decision making.
3. The Classification Committee may utilize written reports from security and program personnel as a basis for decision making.

H. The two (2) types of Classification Committees shall be:

1. Assessment Center Classification Committee which shall be responsible for all initial classification except for an inmate receiving a penalty of death or received through transfer from another state or a contract inmate; and
2. Reclassification Committee, which shall be responsible for all classification actions taken after initial placement. These committees may be held at the institutional or unit level.

I. The Assessment Center Classification Committee shall meet with the inmate at the end of the initial reception and assessment process.

1. The centralized Assessment Center is located at the Roederer Correctional Complex. A branch of this assessment center shall be located at the Kentucky Correctional Institution for Women. Other branch assessment centers may be established by the Commissioner for the management of the inmate population. The centralized Assessment Center shall be responsible for initial receiving, processing and classification as described in Corrections Policy and Procedures 17.2.
2. The purpose of the Assessment Center Classification Committee shall be to:
  - a. Assess the basic needs of each inmate entering the system;
  - b. Complete a classification document on each inmate;
  - c. Assign the initial institutional placement of each inmate; and
  - d. Recommend short and long-term plans for custody, program placement and housing.

J. The Reclassification Committee at each institution shall oversee the entire classification process occurring at the institutional level.

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 6    |

1. The Reclassification Committee shall be responsible for classifying an inmate received from the Assessment Center or other institution:
  - a. Each inmate shall be seen by the Reclassification Committee within ten (10) working days after entering the institution:
    - (1) If an inmate is transferred in order to participate in a specific short-term program including Legal Aide training or medical treatment, a case review may be substituted for a classification action; and
    - (2) This action shall be documented in the Offender Management System
  - b. Review the inmate's classification document and custody level;
  - c. Revise program placement recommendations if necessary to ensure that the recommended program is realistic in comparison to resources available; and
  - d. Assign or review housing assignments.
2. The Reclassification Committee shall be responsible for ensuring that each inmate has completed an orientation to the institution after being received.
  - a. This orientation shall include:
    - (1) An explanation of rules and regulations of the institution;
    - (2) A list of programs available to the inmate and methods for gaining entry into these programs;
    - (3) An explanation of methods for reducing custody or being transferred to another institution; and
    - (4) An explanation of the inmate performance level expected by the institution;
  - b. A copy of the institution's inmate handbook shall be given to each inmate; and
  - c. If an inmate is transferred in order to participate in a specific short-term program, the orientation may be condensed to include only those issues pertinent to the program participants.
- K. The Reclassification Committee may vary according to the institution. The committee may be at the unit or institutional level.
  1. The Reclassification Committee shall be responsible for:

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 7    |

- a. Reviewing all inmates at least once in a calendar year for program and status review;
  - b. Changes in work assignments, program assignments and housing assignments;
  - c. Reviewing and processing changes in the inmate's visiting list;
  - d. Reviewing or reclassifying each inmate referred to the Committee through appropriate sources. These sources may include:
    - (1) Inmate's CTO;
    - (2) Inmate's request;
    - (3) Warden's request;
    - (4) Deputy Warden's request;
    - (5) Program or work supervisor's request;
    - (6) Adjustment Committee; and
    - (7) Classification Duty Designee;
  - e. Recommending the housing assignment of the inmate;
  - f. Recommending restoration of statutory good time loss;
  - g. Evaluating and revising each inmate's classification document, if appropriate;
  - h. Updating each inmate's custody, if appropriate;
  - i. Recommending transfer, if appropriate; and
  - j. Making or altering work and program assignments.
2. The inmate may initiate a classification custody review once during a 12 month period.
3. Each inmate may submit to the CTO a written request for a review by the Reclassification Committee. This shall be called a Special Reclassification. Only one (1) Special Reclassification shall be granted per calendar year. In these cases:
  - a. If deemed appropriate, the CTO may refer the request to the Reclassification Committee chairperson for a decision on whether to honor the request;
  - b. All approvals or denials of requests shall be documented in the inmate's institutional folder using the Classification Record; or
  - c. If the request for Special Reclassification is denied, the inmate shall be informed in writing of the decision.

| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 8    |

L. The classification of each institutional inmate shall be reviewed at least once in a calendar year. This action shall require the completion of a classification document and program review.

1. If an initial classification or reclassification document, including program review, has been completed during this time period, it shall not be necessary to complete a classification document on the month indicated.
2. An institution may, at the direction of the Warden or Deputy Warden for Classification, schedule more frequent reviews.
3. The following schedule shall be used by a CTO in scheduling and conducting a reclassification review for an inmate. Each CTO shall review an inmate on his caseload whose last institutional digit corresponds with the following months:
  - a. January - 1;
  - b. February - 2;
  - c. March - 3;
  - d. April - 4;
  - e. May - 5;
  - f. June - 6;
  - g. July - none;
  - h. August - 7;
  - i. September - 8;
  - j. October - 9;
  - k. November - 0; and
  - l. December - none.
4. If an inmate has been classified during the calendar year, it shall be documented in the Offender Management System. If the inmate has a pending action that may affect the results of his reclassification (i.e. detainer, good time action, or disciplinary action) the hearing may be postponed as long as the action is completed within the calendar year.

M. Appeals

1. An inmate may appeal any classification action to the Warden or his designee within five (5) working days of the action. An Assessment Center classification action concerning initial placement and custody level shall be appealable to the Classification Branch Manager.
2. If the inmate is not satisfied with the response received from the Warden or his designee, the inmate may request that his case be reviewed by the Classification Branch Manager or his designee, with the exception of



| Policy Number | Effective Date  | Page |
|---------------|-----------------|------|
| 18.1          | August 31, 2007 | 9    |

protective custody decisions. If a copy of the institutional response is not included in the appeal, it shall be returned to the inmate with directions for the proper process to be followed.

N. Inmates Housed in a Local Facility

1. An inmate in the Class D Program shall receive a custody review as outlined in 501 KAR 2:020 and 2:060 and the Classification Manual. The inmate shall not be present during the review.
2. An inmate in the Community Service Center or the Community Custody Program is at the lowest possible custody level. The inmate shall not receive a custody review unless there is a change that would alter the custody level or at the discretion of the Classification Branch Manager.
3. An inmate in the Contract - Medium Security Program may be reviewed annually according to the classification schedule.
4. The inmate may appeal any action taken in a custody review to the Classification Branch Manager.
5. Jail staff may request custody reviews by submitting a request to the Classification Branch Office.